

1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell, *et al.*

Examiner: Sullivan, D.

Serial Number: 09/931,506

Art Unit: 1636

Filing Date: 08/16/2001

Attorney Docket: 2002906-0002
(Duke #1681)

Title: DECELLULARIZED TISSUE ENGINEERED CONSTRUCTS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:


TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced matter:

- 1) Copy of Revocation of Previous Powers of Attorney and Appointment of Attorney Under 37 C.F.R. 3.71 (1 page)
- 2) Copy of Establishing Right of Assignee To Take Action (37 C.F.R. §3.73(b)) (2 pages);
- 3) Copy of Recordation and Assignment of Shannon Mitchell, Jennifer Koh, Vakas Prabhaker and Laura Niklason (4 pages); and
- 4) Return Postcard.

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

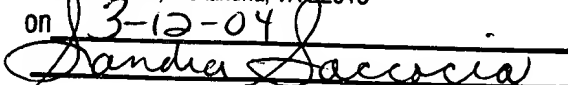

Monica R. Gerber, M.D., Ph.D.
Reg. No.: 46,724

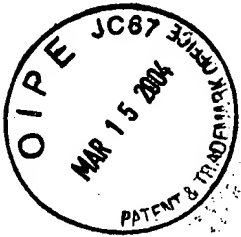
CHOATE, HALL & STEWART
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

Dated: March 12, 2004
3668581_1.DOC

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in
an envelope addressed to: Commissioner For Patents,
P.O. Box 1450, Alexandria, VA 22313

on

3-12-04




ATTORNEY DOCKET NO.: 2002906-0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell, *et al.*

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REVOCATION OF PREVIOUS POWERS OF ATTORNEY AND
APPOINTMENT OF ATTORNEY UNDER 37 C.F.R. 3.71**

The undersigned hereby revokes all previous powers appointed in this case and appoints:

The attorneys/agents associated with **Customer No. 22907** as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to:

Banner & Witcoff
1001 G Street N.W.
Washington, D.C. 20001-4597

Respectfully submitted,

Name: Robert L. Taber, PhD
on behalf of Duke University

Dated: 3/12/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant: Mitchell, *et al.*

Examiner: Sullivan, D.

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR § 3.73(b))

The inventors of the above-referenced United States patent application have assigned their entire right, title, and interest in the inventions disclosed therein according to the following table:

Inventor	Assignee
Shannon Mitchell	Duke University
Jennifer Koh	Duke University
Vikas Prabhaker	Duke University
Laura Niklason	Duke University

Thus, the Assignee of the inventors' entire right, title, and interest are:

Duke University

According to 37 CFR § 3.73(b), the Assignee is entitled to take action relating to the application in the Patent and Trademark Office if the Assignee establishes ownership to the satisfaction of the Commissioner.

Ownership by the assignee is established as follows:

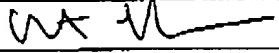
_____ documents already recorded in the PTO on _____.

Reel _____ Frame _____; and

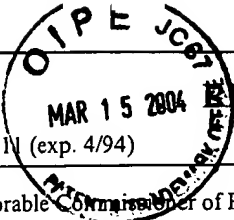
X documents separately submitted for recordal to the PTO (a copy of these documents are attached).

STATEMENT

I, person(s) authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as Assignee who seeks to take further action.

Name/Title	Assignee	Date
Signature:  Name: Robert L. Taber, PhD Title: Vice Chancellor of Science and Technology Development	Duke University	

3667632_1.DOC



RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Shannon Mitchell
Jennifer Koh
Vikas Prabhaker
Laura Niklason

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Duke University

Internal Address: 230 North Building
Research Drive

District: Durham, NC 27708

Country: USA

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Dates: November 28, 2001, November 28, 2001,
December 5, 2001, December 12, 2001

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/931,506, filed August 16, 2001

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Monica R. Gerber, M.D., Ph.D.
Reg. No.: 46,724

Internal Address: Choate, Hall & Stewart

Street Address: Exchange Place
53 State Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: 03-1721

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Monica R. Gerber Reg. No. 46,724

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 4

Signature

March 10, 2004

Date

Mail documents to be recorded with required cover sheet information to:
Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents P.O. Box 1450, Alexandria, VA 22313

on 3-10-04
Dandria Saccoccia

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Shannon Mitchell** of Durham, NC, **Jennifer Koh** of Irvine, CA, **Vikas Prabhaker** of Durham, NC and **Laura Niklason** of Hillsborough, NC; hereby

Sell, assign and transfer to **Duke University**, having a place of business at **230 North Building, Research Drive, Durham, NC 27708**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, their entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**DECELLULARIZED TISSUE ENGINEERED CONSTRUCTS AND TISSUES**" filed **August 16, 2001**, and given serial number **09/931,506** in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, I hereto set my hand and seal at Duke University,
Durham, NC this 28th day of November, 2001.

Shannon Mitchell
Shannon Mitchell

STATE OF North Carolina
COUNTY OF Durham SS.

Before me this 28th day of November, 2001, personally appeared
Shannon Mitchell known to me to be the person whose name of subscribed to the foregoing
Assignment and acknowledged that he executed the same as his free act and deed for the
purposes therein contained.

(Notary's Seal Here)

NOTARY PUBLIC

My Commission Expires: April 4, 2006

Cynthia S. Fears

IN WITNESS WHEREOF, I hereto set my hand and seal at Irvine,
CA this 5th day of December, 2001.

Jennifer Koh
Jennifer Koh

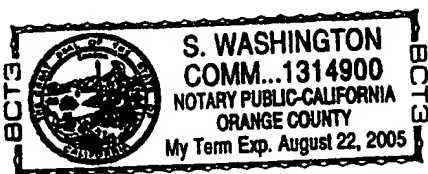
STATE OF California
COUNTY OF Orange SS.

Before me this 5th day of December, 2001, personally appeared **Jennifer**
Koh known to me to be the person whose name of subscribed to the foregoing Assignment and
acknowledged that ~~he~~ she executed the same as ~~his~~ her free act and deed for the purposes therein
contained.

[Notary's Seal Here]

S. Washington
NOTARY PUBLIC

My Commission Expires: 8/22/05



IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,
Massachusetts this 12th day of December, 2001.

Vikas Prabhakar
Vikas Prabhakar
PRABHAKAR VP

STATE OF Massachusetts
COUNTY OF Middlesex SS.

Before me this 12th day of December, 2001, personally appeared
Vikas Prabhakar known to me to be the person whose name of subscribed to the foregoing
Assignment and acknowledged that he executed the same as his free act and deed for the
purposes therein contained.

(Notary's Seal Here)

Denise M. Bradford
NOTARY PUBLIC

My Comm. Expires Feb 2, 2007
DENISE M. BRADFORD
NOTARY PUBLIC

IN WITNESS WHEREOF, I hereto set my hand and seal at Durham NC this 28th day of November, 2001.
Duke University
Commonwealth of Massachusetts
My Commission Expires Feb 2, 2007

Laura Niklason
Laura Niklason

STATE OF North Carolina
COUNTY OF Durham SS.

Before me this 28th day of November, 2001, personally appeared **Laura**
Niklason known to me to be the person whose name of subscribed to the foregoing Assignment
and acknowledged that he executed the same as his free act and deed for the purposes therein
contained.

Cynthia S. Sears
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires: April 4, 2006